

EX PARTE OR LATE FILED

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

12 MAR 1993

DOCKET FILE COPY ORIGINAL

Docket Rm-522
POLICY & PLANNING
BRANCH ROOM 5202

IN REPLY REFER TO:

7330-7/1700A3

RECEIVED

MAR 24 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Connie Mack
United States Senator
1342 Colonial Boulevard
Suite 27
Fort Myers, Florida 33907

Dear Senator Mack:

This is in reply to your letter of February 12, 1993, in which you inquired on behalf of your constituent, Herbert H. Brokhof, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Your constituent is specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take your constituent's concerns into account when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Your constituent's letter will be included in the record of the proceeding. We expect final rules to be issued in 1994.

Sincerely,

Edward R. Jacobs

for Richard J. Shiben
Chief, Land Mobile & Microwave Division
Private Radio Bureau

cc: Enclosures

CNTL NO - 9300846

52

Chief, PRBureau
Chief, LM&M Divison
Docket Files, Room 222
P&P Branch File (Pink)

11 of Copies rec'd
VERBODE

041

Congressional

DLR OBC 3-8-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE ROOM 222

CONNIE MACK
FLORIDA

United States Senate

WASHINGTON, DC 20510-0904

PRB
92-235-
852

February 12, 1993

Ms. Jeanne E. Turonis
Federal Communications Commission
Suite 310, Rochester Bldg
8390 N.W. 53rd Street
Miami, Florida 33166

Dear Ms. Turonis:

Enclosed please find correspondence from my constituent.

I would appreciate your advising me of your action in this matter and returning the letter with your reply. Please respond to Helen Bina at my Fort Myers Regional Office, located at 1342 Colonial Boulevard, Suite 27, Fort Myers, Florida 33907, (813) 275-6252.

Thank you for your prompt attention.

Sincerely,



Connie Mack
U.S. Senate

CM/hb
Enclosure

RECEIVED

FEB 16 1993

RECEIVED Feb 2, 1993

FEB 16 1993

FORT MYERS

FCC MIAMI

FEB 04 1993

The Honorable Connie Mack
1342 Colonial Blvd., Room 27
Ft. Myers, Florida 33907

Dear Senator Mack:

I am retired and have actively built, flown and competed with radio controlled model airplanes since 1954. I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished